

## 40-100.I DIVERSION PROGRAM

The **Diversion Program** section includes the following information:

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### Background

Each county must implement a Diversion program. Every CalWORKs customer must be informed of the availability of a Diversion payment as a possible resolution to the circumstances that caused the family to apply for cash assistance prior to the family's approval for aid.

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An applicant for CalWORKs may either participate in the Diversion program or decline participation and receive aid under CalWORKs, if otherwise eligible.

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### Apparent Eligibility

To qualify for Diversion payment, the family must be apparently eligible for CalWORKs. The applicant has the right to accept or reject the Diversion Program option. The one-time payment is intended to cover the family's specific need(s) in lieu of ongoing CalWORKs Diversion provide. If the applicant chooses to receive a Diversion payment in lieu of receiving aid, CalWIN will deny the CalWORKs cash aid application, when the Diversion payment is authorized.

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**Diversion Requirements**

In determining whether the applicant is likely to be able to avoid the need for extended assistance, the applicant must meet the following requirements:

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- Be apparently eligible to CalWORKs;
  - Complete and sign form 26-04, CalWORKs Diversion Agreement; **and**
  - Have a job offer or current employment.
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**Criteria of Job Offer or Current Employment**

The job offered, or current employment must:

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- Provide income that when combined with other resources will enable the applicant to meet the family's needs without a monthly CalWORKs grant; **and**
  - Must have a definite start date and be expected to last throughout the Diversion period.
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**Persons Not Eligible for Diversion**

The following persons are considered ineligible for Diversion payments:

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- Persons convicted of fraud,
  - Drug felons,
  - Fleeing felons,
  - Timed out individuals,
  - Welfare-to-Work sanctioned individuals,
  - Undocumented non-citizens; and
  - Non-needy caretaker relatives.
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**Diversion Period Payment**

The Diversion period is determined by dividing the value of the Diversion payment by the appropriate maximum aid payment (MAP) level for the "apparently eligible" AU at the time of the initial application. Diversion payments are limited to once every 12 months (including Diversion payments from other counties and payments are limited to the equivalent of 3 months of the MAP for the AU. All payment must be approved by the Family Resource Center (FRC) manager.

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**Other  
Diversion  
Payment  
Rules**

- All payments must be approved by Family Resource Center (FRC) management;
- To the extent possible payments will be made in the form of vendor or 2 party checks. Exceptions include payments for gas or clothing,
- Monthly child care expenses cannot exceed the individual's monthly earnings,
- Payments will be made for stolen tools/equipment after verification of theft via a copy of the police report, and
- Individuals who misuse a Diversion payment, or commit fraud after receiving it, are permanently ineligible for any additional Diversion payments.

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**Child Support**

Do not use any child support collected by the customer or recovered by the county to offset the Diversion payment.

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**Expenses Not  
Covered**

Diversion payments will NOT be made for the following:

- Employer's background investigation pending an offer of a job, or for background checks;
- Traffic tickets, parking tickets, or other penalties;
- Firearms/weapons; and
- Start-up costs of self-employment.

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**Note:** The program will pay for some costs involved in continuing a self-employment business that has established a record of success.

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**Expenses  
Covered**

**The total amount authorized is limited to the equivalent of three months of the MAP for the AU.** The Diversion payment may be for more than one item.

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**Note:** FRC management may authorize payments above the dollar limits listed below provided the total payment does not exceed the equivalent of three months of MAP for the AU. Documentation of unusual circumstances and need is required.

Expense	Description To cover/provide:	Maximum Amount
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Rent/Utilities	<ul style="list-style-type: none"> <li>• Rent/utility deposits, to stabilize a family situation. Utilities include gas, electric, propane and water.</li> <li>• Back rent to preclude eviction, and to cover utility payments in arrears to avoid utility shutoff or to assure restoration of utility service.</li> <li>• Rental/utility deposits for relocation within the county when distance between residence and employment <b>prior to the move</b> is at least 35 miles one-way, or residence is in a remote area that would require a trip on public transportation of two hours or more, including transfers.</li> </ul>	Actual Cost*
Child Care	Funds for childcare while the individual is waiting to be accepted in Stage 2 or Stage 3 childcare.	Actual Cost*
Transportation	Cash for gas or mass transit passes. Private vehicles must be owned by the individual and be required as a condition of employment (or if no public transportation is available), the individual must have a valid CA Drivers License.	\$75
Vehicle Repair	Repairs to a vehicle owned and used by the individual (required as a condition of employment or if no public transportation is available). Includes: tires, batteries, smog checks, etc.	Actual Cost*
Clothing	<ul style="list-style-type: none"> <li>• Uniforms</li> <li>• Special shoes (work, nursing)</li> <li>• Office attire (including shoes).</li> </ul>	\$100 \$75 \$100
Tools	Tools required as a condition of employment and needed for the job, estimate is required.	Actual estimated Cost*
Licenses/ Health Cards	Licenses needed to obtain or retain employment. <b>Note:</b> Drivers licenses not included except when renewing a license to obtain or retain employment.	Actual Cost*

Union Dues	Initial membership fees if mandated to join a union as a condition of employment	Actual cost*
Alien Documentation	Fees for <u>replacement</u> of alien registration documentation, issued by INS or the U.S. Consulate, required to obtain employment.	Actual Cost*
Medical Tests/Services	Medical test/physicals not covered by Medi-Cal and required as a condition of employment. Can cover hearing aids, glasses, etc. not covered by Medi-Cal and needed for employment.	Actual Cost*
Stoves Refrigerators	A stove and/or refrigerator needed to stabilize the family living situation.	\$250 each

\* Up to MAP for the AU times 3.

#### CalWORKs Application/ Reapplication for Diversion Recipients

If a former Diversion payment recipient reapplies for CalWORKs the person is considered a new applicant. Beginning date of aid rules apply for the new application. Actions required when a Diversion payment has been issued and cash aid is later requested:

If reapplication is...	Then...
Within the Diversion period	AU has two options. To allow the county to: <ul style="list-style-type: none"> <li>• Recoup the Diversion payment through a 10% grant reduction, or</li> <li>• Count the entire Diversion period against the 60-month time limit.6).</li> </ul> <b>Note:</b> The choice must be documented in the case comments.
After the Diversion period	Only one month is counted towards the 60-month time limit

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